

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY MAY 10, 2011

AMENDED IN ASSEMBLY APRIL 27, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1302

Introduced by Assembly Member Williams

February 18, 2011

An act to add ~~Section 25235 to the Public Resources Chapter 4.5~~
(commencing with Section 8370) to Division 4.1 of the Public Utilities
Code, relating to electricity.

LEGISLATIVE COUNSEL'S DIGEST

AB 1302, as amended, Williams. Distributed generation.

~~The existing Warren-Alquist State Energy Resources Conservation and Development Act establishes the State Energy Resources Conservation and Development Commission (Energy Commission). Existing law requires the Energy Commission to undertake a continuing assessment of trends in the consumption of electricity and other forms of energy and to analyze the social, economic, and environmental consequences of those trends and to collect from electric utilities, gas utilities, and fuel producers and wholesalers and other sources, forecasts of future supplies and consumption of all forms of energy.~~

(1) Existing law provides for the furnishing of utility services by public utilities, as defined, subject to the regulatory authority of the Public Utilities Commission (PUC), including the supplying of electrical service by electrical corporations. Existing law authorizes the furnishing

of utility services by publicly owned public utilities, including municipal corporations, which are subject to control by their governing bodies, and municipal utility districts, public utility districts, and irrigation districts, which are subject to control by their boards of directors.

This bill would require each large electrical corporation, as defined, and large local publicly owned electric utility, as defined, to provide maps and other information identifying and designating zones within their respective service territories that are optimal for deployment of distributed generation to the Energy Commission, the Public Utilities Commission (PUC), if an electrical corporation, and the Independent System Operator, by December 31, 2012, as provided. The bill would require the Energy Commission, in consultation with the PUC, PUC and large local publicly owned electric utilities to develop guidelines rules for those electrical utilities to utilize in creating maps and other information identifying and designating those zones the implementation of this requirement, as provided. By imposing requirements on local publicly owned electric utilities that are not imposed on electrical corporations, the bill would impose a state-mandated local program. The bill would require the Energy Commission to review each electrical utility's designation of zones and approve or disapprove the designation of zones made by each electrical utility. The bill would require, upon approval by the Energy Commission, that each electrical utility make this information available on its Internet Web site. The bill would require state agencies to give priority to be given for the approval of distributed generation projects proposed to be located within a zone designated pursuant to these provisions.

Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the PUC is a crime.

Because the provisions of this bill require action by the PUC to implement its requirements, a violation of these provisions would impose a state-mandated local program by expanding the definition of a crime.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 *SECTION 1. Chapter 4.5 (commencing with Section 8370) is*
2 *added to Division 4.1 of the Public Utilities Code, to read:*

3
4 *CHAPTER 4.5. DISTRIBUTED GENERATION*
5

6 8370. (a) *For purposes of this section, “large local publicly*
7 *owned electric utility” means a local publicly owned electric utility*
8 *that sells electricity at retail to 75,000 or more customers.*

9 (b) (1) (A) *A large local publicly owned electric utility shall*
10 *develop maps and other information that identify and designate*
11 *zones within its respective service territory that are optimal for*
12 *deployment of distributed generation. The large local publicly*
13 *owned electric utility shall develop and implement rules for the*
14 *implementation of this section that shall define “optimal” and*
15 *“zone” for the purposes of the requirements of this section.*

16 (B) *The large publicly owned electric utility shall include all of*
17 *the following in maps and other information identifying and*
18 *designating zones:*

19 (i) *The location of primary distribution lines, distribution*
20 *substations, and transmission facilities.*

21 (ii) *Identification numbers for specific substations and lines.*

22 (iii) *The nominal circuit voltage.*

23 (iv) *The maximum normal circuit capacity in the summer.*

24 (v) *The amount of distributed generation existing on the circuit.*

25 (vi) *The difference between the maximum normal circuit capacity*
26 *in the summer and the sum of the allocated capacity substation*
27 *transformer bank rating that the circuit is connected to.*

28 (vii) *The maximum normal substation transformer bank rating*
29 *for the summer.*

30 (viii) *The projected peak load for the substation transformer*
31 *bank for the summer.*

32 (ix) *The amount of distributed generation existing on the*
33 *substation transformer.*

34 (x) *Any distribution circuit with generation interconnection*
35 *potential for one megawatt, two megawatt, three megawatt, and*
36 *five megawatt distributed generation facilities.*

37 (xi) *Known areas of transmission system constraints.*

1 (xii) Known areas where short circuit duty levels are near
2 equipment short circuit duty limitations.

3 (2) Each large local publicly owned electric utility shall make
4 this information available on its Internet Web site so that the
5 information appears when a term search is performed on that
6 Internet Web site using the term “distributed generation.” Each
7 large local publicly owned electric utility shall clearly state on its
8 Internet Web site that the designation of a zone on a utility system
9 map is not to be construed as a preapproval for a distributed
10 generation facility.

11 (3) Each large local publicly owned electric utility shall
12 periodically update its designation of zones that are optimal for
13 deployment of distributed generation, as circumstances change,
14 and make that information available on the utility’s Internet Web
15 site.

16 (c) The requirements of this section shall be implemented
17 consistent with state and federal safety and reliability requirements.

18 (d) Priority shall be given for distributed generation projects
19 proposed to be located within a zone designated pursuant to this
20 section.

21 8371. (a) For purposes of this section, “large electrical
22 corporation” means an electrical corporation that sells electricity
23 at retail to 75,000 or more customers.

24 (b) (1) (A) The commission shall open an appropriate
25 proceeding or expand the scope of an existing proceeding to
26 develop rules for large electrical corporations to follow in creating
27 maps and other information that identify and designate zones
28 within their respective service territories that are optimal for
29 deployment of distributed generation. The rules shall define
30 “optimal” and “zone” for the purposes of the requirements of this
31 section.

32 (B) The rules shall require a large electrical corporation to
33 include all of the following in maps and other information
34 identifying and designating zones:

35 (i) The location of primary distribution lines, distribution
36 substations, and transmission facilities.

37 (ii) Identification numbers for specific substations and lines.

38 (iii) The nominal circuit voltage.

39 (iv) The maximum normal circuit capacity in the summer.

40 (v) The amount of distributed generation existing on the circuit.

1 (vi) *The difference between the maximum normal circuit capacity*
2 *in the summer and the sum of the allocated capacity substation*
3 *transformer bank rating that the circuit is connected to.*

4 (vii) *The maximum normal substation transformer bank rating*
5 *for the summer.*

6 (viii) *The projected peak load for the substation transformer*
7 *bank for the summer.*

8 (ix) *The amount of distributed generation existing on the*
9 *substation transformer.*

10 (x) *Any distribution circuit with generation interconnection*
11 *potential for one megawatt, two megawatt, three megawatt, and*
12 *five megawatt distributed generation facilities.*

13 (xi) *Known areas of transmission system constraints.*

14 (xii) *Known areas where short circuit duty levels are near*
15 *equipment short circuit duty limitations.*

16 (C) *The commission may require the inclusion of other*
17 *information or impose other specifications, as determined by the*
18 *commission.*

19 (2) *On or before December 31, 2012, each large electrical*
20 *corporation shall provide the commission and the Independent*
21 *System Operator with maps and other information identifying and*
22 *designating those zones within their respective service territories*
23 *that each utility determines are optimal for deployment of*
24 *distributed generation. The commission may establish requirements*
25 *for the approval or disapproval of the designation of zones.*

26 (3) *Each large electrical corporation shall make this information*
27 *available on its Internet Web site so that the information appears*
28 *when a term search is performed on that Internet Web site using*
29 *the term “distributed generation.” Each large electrical*
30 *corporation shall clearly state on its Internet Web site that the*
31 *designation of a zone on a utility system map is not to be construed*
32 *as a preapproval for a distributed generation facility.*

33 (4) *Each large electrical corporation shall periodically update*
34 *its designation of zones that are optimal for deployment of*
35 *distributed generation, as circumstances change, and provide this*
36 *information to the commission and make that information available*
37 *on the utility’s Internet Web site.*

38 (c) *The requirements of this section shall be implemented*
39 *consistent with state and federal safety and reliability requirements.*

(d) Priority shall be given for distributed generation projects proposed to be located within a zone designated pursuant to this section.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act or because costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SECTION 1. ~~Section 25235 is added to the Public Resources Code, to read:~~

25235. (a) For purposes of this section, the following terms have the following meanings:

(1) ~~“Large electrical corporation” means an electrical corporation, as defined in Section 218 of the Public Utilities Code, that sells electricity at retail to 75,000 or more customers.~~

(2) ~~“Large local publicly owned electric utility” means a local publicly owned electric utility, as defined in Section 224.3 of the Public Utilities Code, that sells electricity at retail to 75,000 or more customers.~~

(b) (1) (A) ~~The commission, in consultation with the Public Utilities Commission, shall develop guidelines for large electrical corporations and large publicly owned electric utilities in creating maps and other information that identify and designate zones within their respective service territories that are optimal for deployment of distributed generation. The guidelines shall define “optimal” and “zone” for the purposes of the requirements of this section.~~

(B) ~~The guidelines shall require a large electrical corporation or large publicly owned electric utility to include all of the following in maps and other information identifying and designating zones:~~

(i) ~~The location of primary distribution lines, distribution substations, and transmission facilities.~~

(ii) ~~Identification numbers for specific substations and lines.~~

(iii) ~~Nominal circuit voltage.~~

- 1 ~~(iv) Maximum normal circuit capacity in the summer.~~
- 2 ~~(v) Amount of distributed generation existing on the circuit.~~
- 3 ~~(vi) Difference between the maximum normal circuit capacity~~
- 4 ~~in the summer and the sum of the allocated capacity substation~~
- 5 ~~transformer bank rating that the circuit is connected to.~~
- 6 ~~(vii) Maximum normal substation transformer bank rating for~~
- 7 ~~the summer.~~
- 8 ~~(viii) Projected peak load for the substation transformer bank~~
- 9 ~~for the summer.~~
- 10 ~~(ix) Amount of distributed generation existing on the substation~~
- 11 ~~transformer.~~
- 12 ~~(x) Any distribution circuit with generation interconnection~~
- 13 ~~potential for one megawatt, two megawatt, three megawatt, and~~
- 14 ~~five megawatt distributed generation facilities.~~
- 15 ~~(xi) Known areas of transmission system constraints.~~
- 16 ~~(xii) Known areas where short circuit duty levels are near~~
- 17 ~~equipment short circuit duty limitations.~~
- 18 ~~(2) (A) On or before December 31, 2012, each large electrical~~
- 19 ~~corporation shall provide the commission, the Public Utilities~~
- 20 ~~Commission, and the Independent System Operator, and each large~~
- 21 ~~publicly owned electric utility shall provide the commission and~~
- 22 ~~the Independent System Operator, with maps and other information~~
- 23 ~~identifying and designating those zones within their respective~~
- 24 ~~service territories that each utility determines are optimal for~~
- 25 ~~deployment of distributed generation. The commission shall review~~
- 26 ~~each utility's designation of zones that are optimal for deployment~~
- 27 ~~of distributed generation and approve or disapprove the designation~~
- 28 ~~of zones made by each utility. If disapproved, the commission~~
- 29 ~~shall indicate in what manner the designation should be revised~~
- 30 ~~and order the utility to promptly submit a designation that corrects~~
- 31 ~~the deficiency.~~
- 32 ~~(B) If a large electrical corporation or large publicly owned~~
- 33 ~~electric utility does not provide the commission with the~~
- 34 ~~information described in subparagraph (A) on or before December~~
- 35 ~~31, 2012, the commission shall identify and designate those zones~~
- 36 ~~within the service territory of the large electrical corporation or~~
- 37 ~~the large publicly owned electric utility that the commission~~
- 38 ~~determines are optimal for deployment of distributed generation;~~
- 39 ~~and shall impose a fee on the large electrical corporation or large~~

1 publicly owned electric utility to recoup reasonable costs incurred
2 by the commission in identifying and designating the zones.

3 ~~(3) Upon approval by the commission, each large electrical~~
4 ~~corporation and large publicly owned electric utility shall make~~
5 ~~this information available on its Internet Web site so that the~~
6 ~~information appears when a term search is performed on that~~
7 ~~Internet Web site using the term “distributed generation.” Each~~
8 ~~large electrical corporation and large publicly owned electric utility~~
9 ~~shall clearly state on its Internet Web site that designated zones~~
10 ~~on a utility system map are not to be construed as a preapproval~~
11 ~~for a distributed generation facility.~~

12 ~~(4) Each large electrical corporation and large publicly owned~~
13 ~~electric utility shall periodically update its designation of zones~~
14 ~~that are optimal for deployment of distributed generation, as~~
15 ~~circumstances change, and provide this information to the~~
16 ~~commission and make that information available on the utility’s~~
17 ~~Internet Web site.~~

18 ~~(e) All state agencies shall give priority for the approval of~~
19 ~~distributed generation projects proposed to be located within a~~
20 ~~zone designated pursuant to this section.~~